

FILED IN CLERK'S OFFICE  
U.S.D.C. AtlantaUNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

NOV -1 2016

JAMES N. HATTEN, CLERK  
*J. Brannon* Deputy Clerk


Glock Inc.	)	
Plaintiff,	)	
	)	
v.	)	Case no. 1:12-CV-0136
	)	
Global Guns & Hunting Inc.	)	
DBA OMB Guns, and	)	
John Ralph III,	)	
Defendant(s)	)	

DEFENDANT'S MOTION TO DISMISS FOR PLAINTIFF'S FAILURE TO COMPLY  
WITH COURT'S ORDER TO FILE NOTICE IN DUE TIME:

Comes now John Ralph (Ralph), a pro se defendant respectfully moves the Court to grant the motion to dismiss the August 18, 2016 default judgement against Ralph. Per the September 30, 2106 "Order" defendant Ralph was "DIRECTED" to notify parties if he is able to access those documents by emailing the Court and the plaintiff as soon as practicable, and in no event later than October 11, 2016," in reference to the disk plaintiff Glock Inc. sent in as exhibit #45. Defendant promptly notified parties that the disc was not readable. A copy of the email is attached. Subsequently, plaintiff Glock Inc. was "DIRECTED to file a notice on the docket within two (2) days of the docketing of Mr. Ralph's notice, stating whether the contents of the disc can be reduced to printed forms and it would be practicable to mail the printed contents of the disc to Mr. Ralph."

Plaintiff Glock Inc. has failed to comply with the Court's directive. Defendant, Ralph respectfully moves the Court for a summary dismissal allowed under the FRCP 37(2)(A)(v), and 60(b)(4)(6).

Respectfully submitted,

  
 John Ralph III  
 Pro se defendant

FROM: [REDACTED]  
TO: 24538031  
SUBJECT: RE: GLOCK

**John S Ralph III**

CERTIFICATE OF SERVICE:

I hereby certify that a true and correct copy of the foregoing was mailed on 25<sup>th</sup> day of October 2016, postage prepaid, certified, per the Prison Mail Box Rule to the Clerk of the Court United States District Court 75 Ted Turner DR SW Richard B Russell Building Atlanta, GA 30303 and to the plaintiff's counsel at MELISSA + MARTIN PLLC 1180 W Peachtree St NW Regency Plaza Suite 2100.  
Atlanta GA 30309-3407

John Ralph III

